

Community Alternatives Nebraska

4851 South 16th Street
Lincoln, Nebraska 68512

phone: 402.420.2100
fax: 402.420.1166

3/31

Community Alternative Nebraska requests a Text Change to Amendment 27.26.020:

Add Adult Day Services a.k.a. Adult Care Center 27.03.037 as a permitted use in the O-2 district.

“Adult Care Center shall mean a facility in which a program of structured and supervised social, manual, physical, and intellectual services or activities are provided to adults who are either ambulatory or wheelchair mobile. Such services or activities shall be provided for a minimum of three hours per day, but shall not provide for overnight stays by participating adults.”

Adult Day Service is compatible to permitted uses for the O-2 districts. These uses include schools, libraries, churches, community parks and buildings, and early childhood care facilities.

Community Alternatives Nebraska is committed to providing safe, supervised, and licensed by the State of Nebraska, day services to approximately 50 adults with mental illness. March 1, 2004, their day services with Madonna in the Trinity Church basement will be discontinued and Community Alternatives is assuming the responsibility of the Adult Day Services. Regional Centers within the State of Nebraska are downsizing and more people will need Adult Day Services in the near future.

Buildings for our services are currently permitted in industrial and business zones. We are a service for people and desire more choices as to where they may spend their day as any other citizen has the right to. We have found a building at 4827 Pioneers Blvd. in the O-2 zoning district perfect for providing services. The landlord is very supportive and ready for a long-term relationship with us.

Please consider giving this population a right to be in a nice building in the O-2 zoning district, now and in the future.

Thank you.

Building Lives • Reaching Potential

www.rescare.com

TALKING POINTS

1. Adult Day Services is not specifically identified in the City zoning code. Adult Day Care is identified, but is defined more in line with Senior or Rehabilitation Day Care.
2. Child Day Care is allowed in O2 zoning.
3. There are very few zones and buildings that qualify for Adult Day Services in the City of Lincoln.
4. With more individuals coming out of the Regional Centers, more buildings that qualify for ADS will be needed.
5. The building has a more than adequate parking lot since the individuals in the program do not drive.
6. Our company is willing to put a sprinkler and fire alarm system in the building even though we do not own the building.
7. This day program has existed in a residential neighborhood in the Trinity Church for over 20 years.

27.03.610	Structure.
27.03.620	Structural Alteration.
27.03.625	Temporary Shelter for the Homeless.
27.03.630	Townhouse.
27.03.635	Technology Transfer Industries or Applications.
27.03.636	Warehouse.
27.03.640	Yard Line.
27.03.650	Yard, Required.
27.03.660	Yard, Required Front.
27.03.670	Yard, Required Rear.
27.03.680	Yard, Required Side.

27.03.010 Definitions; General Provisions.

For the purpose of this title, certain terms and words are hereby defined. Certain chapters contain definitions which are additional to those listed here. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "structure" shall include the word "building," and the word "shall" is mandatory. (Ord. 12571 §3; May 8, 1979).

27.03.020 Abutting.

Abutting shall mean adjacent or contiguous and shall include property separated by an alley. (Ord. 12571 §4; May 8, 1979).

27.03.030 Accessory Buildings and Uses.

An accessory building is a subordinate building or a portion of the main building, the use of which is incidental to that of the main building or to the main use of the premises. An accessory use is one which is incidental to the main use of the premises. (Ord. 12571 §5; May 8, 1979).

27.03.035 Administrative Offices.

Administrative offices shall mean offices that house the administrative support functions of an association, corporation or other similar organization including, but not limited to, finance, accounting, personnel, policy development, administration, and similar administrative activities that do not generally involve frequent or regular face-to-face interaction with the public. This definition of "administrative offices" is intended to prohibit all manufacturing, retail, wholesale, service, and other activities that involve the on-site production, distribution, delivery, or marketing of goods and services to the public. (Ord. 15164 §1; May 8, 1989).

27.03.037 Adult Care Center.

Adult care center shall mean a facility in which a program of structured and supervised social, manual, physical, and intellectual services or activities are provided to adults who are either ambulatory or wheelchair mobile. Such services or activities shall be provided for a minimum of three hours per day, but shall not provide for overnight stays by participating adults. (Ord. 16253 §1; October 26, 1992).

CHAPTER 27.26

O-2 SUBURBAN OFFICE DISTRICT

Sections:

- 27.26.010 Scope of Regulations.**
- 27.26.020 Permitted Uses.**
- 27.26.030 Permitted Conditional Uses.**
- 27.26.040 Permitted Special Uses.**
- 27.26.050 Accessory Uses.**
- 27.26.060 Parking Regulations.**
- 27.26.070 Sign Regulations.**
- 27.26.075 Grading and Land Disturbance Regulations.**
- 27.26.080 Height and Area Regulations.**

This district is intended to provide a redeveloping area, primarily of office uses in those suburban areas previously zoned O-1 Office District and those fronting on the same street, with the same side lot lines and within 150 feet of the following districts: B-1, B-3, B-4, H-2, H-3, and I-1. This district is intended as a transition zone where it abuts the previously mentioned districts. (Ord. 12701 §5; October 2, 1979).

27.26.010 Scope of Regulations.

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the regulations in the O-2 Suburban Office District. (Ord. 12571 §228; May 8, 1979).

27.26.020 Permitted Uses.

A building or premises shall be permitted to be used for the following purposes in the O-2 Suburban Office District:

- (a) Office buildings;
- (b) Parks, playgrounds, and community buildings, owned or operated by a public agency;
- (c) Public libraries;
- (d) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school, and having no rooms regularly used for housing or sleeping purposes;
- (e) Churches;
- (f) Nonprofit religious, educational, and philanthropic institutions;
- (g) Banks, savings and loans, credit unions, and finance companies;
- (h) Barber shops, beauty parlors, and shoeshine shops;
- (i) Tailor shops, shoe repair shops, upholstery shops, printing and photocopying shops, or other, similar business establishments; however, that portion of the premises of such business establishments not devoted to sales or office space shall not exceed 5,000 square feet of floor area. (Ord. 16767 §1;

April 10, 1995: prior Ord. 13466 §1; September 20, 1982: Ord. 12679 §3; September 4, 1979: Ord. 12571 §229; May 8, 1979).

27.26.030 Permitted Conditional Uses.

Any building or premises may be used for the following purposes in the O-2 Suburban Office District in conformance with the conditions prescribed herein:

- (a) Dwellings, provided that:
 - (1) Dwellings shall only be permitted above the first story of a building;
 - (2) The first story shall be used for a nondwelling use permitted in the district;
 - (3) Said nondwelling use shall not:
 - (i) be accessory to the residential use;
 - (ii) be a parking lot or garage;
 - (4) Said first story shall not have more than twenty percent of its height below grade.
- (b) Photography studios, provided that said studios be used only for the taking of photographs and the development of photographs taken by the owner or employees of the studio.
- (c) Parking lots, provided that no part of the frontage within the block face on which a parking lot is proposed is zoned residential.
- (d) Early childhood care facilities with a maximum of fifteen children present at any time:
 - (1) Such facilities shall comply with all applicable state and local early childhood care requirements;
 - (2) Such facilities shall comply with all applicable building and life safety code requirements;
 - (3) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
 - (4) Such facilities must receive a conditional use permit from the Department of Building and Safety. (Ord. 16854 §23; August 14, 1995: prior Ord. 15522 §1; April 16, 1990: Ord. 13579 §1; May 2, 1983: Ord. 12571; §230; May 8, 1979).

27.26.040 Permitted Special Uses.

A building or premises may be used for the following purposes in the O-2 Suburban Office District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Broadcast towers;
- (b) Expansion of nonconforming uses;
- (c) Historic preservation;
- (d) Public utility purposes;
- (e) Wind energy conversion systems;
- (f) Outdoor seasonal sales;
- (g) Certain parking lots as defined in Chapter 27.63;
- (h) Mail order catalog sales;
- (i) Early childhood care facilities with sixteen or more children, or with fifteen or fewer children not meeting the specified conditions for a permitted conditional use under Section 27.26.030;
- (j) Private schools. (Ord. 17254 § 1; October 6, 1997: prior Ord. 16854 §24; August 14, 1995: Ord. 16606 §1; May 9, 1994: Ord. 16144 §2; July 6, 1992: Ord. 15522 §2; April 16, 1990: Ord.

14780 §10; November 2, 1987: Ord. 13980 as amended by Ord. 14123 §2; June 3, 1985: Ord. 13588 §10; May 9, 1983: Ord. 12978 §12; August 25, 1980: Ord. 12894 §12; April 7, 1980: Ord. 12571 §231; May 8, 1979).

27.26.050 Accessory Uses.

Accessory uses permitted in the O-2 Suburban Office District are accessory buildings and uses customarily incident to the permitted uses. (Ord. 12571 §232; May 8, 1979).

27.26.060 Parking Regulations.

All parking within the O-2 Suburban Office District shall be regulated in conformance with the provisions of Chapter 27.67. (Ord. 12571 §233; May 8, 1979).

27.26.070 Sign Regulations.

Signs within the O-2 Suburban Office District shall be regulated in conformance with the provisions of Chapter 27.69. (Ord. 12571 §234; May 8, 1979).

27.26.075 Grading and Land Disturbance Regulations.

Grading and land disturbance within the O-2 Suburban Office District shall be regulated in conformance with the provisions of Chapter 27.81. (Ord. 17618 §13; February 22, 2000.)

27.26.080 Height and Area Regulations.

The maximum height and minimum lot requirements within the O-2 Suburban Office District shall be as follows:

- (a) General requirements:

(See following page)

Table 27.26.080(a)

Table 27.26.080(a)						
	Lot Area (Sq. ft.)	Frontage	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
Dwelling	4,000	50'	30' or same as abutting residential district whichever is lesser	10'	40'	25'
Dwelling, two-family	4,000	50'		10'	40'	25'
Other Permitted Uses	Less than 15,000	50'		10'*, **	40'*	25'
	15,000 and over	100'		20'*, **	40'*	25'
<p>* When a side or rear yard abuts a residential district, it shall be screened in conformance with the landscape design standards adopted by the City of Lincoln.</p> <p>** 0' when abutting a commercial or industrial district.</p>						

(b) There shall be a required front yard on each street side of a double-frontage lot.

(c) There shall be a required front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record on November 2, 1953, need not be reduced to less than thirty-five feet except where necessary to provide a required side yard of not less than five feet in place of one of the required front yards;

(d) Open space requirements for residential use: A minimum amount of usable and accessible open space must be provided for each residential use. This requirement shall be as follows:

125 square feet for the first dwelling unit;

80 square feet per unit for the next four dwelling units;

25 square feet per unit for the next four dwelling units;

20 square feet per unit for each additional dwelling unit beyond nine.

This open space requirement may be met in the following manner:

(1) The required rear yard may be counted; however, the required front and side yards may not be counted toward fulfillment of said open space requirement; except for porches, terraces, and balconies as permitted in Sections 27.71.100 and 27.71.110;

(2) Parking spaces and land occupied by any building or structure may not be counted toward fulfillment of this open space requirement;

(3) This required open space may be provided either on a balcony four or more feet in depth or on a rooftop, provided that the roof is designed and surfaced in such a manner that it may be developed with areas of planting, open space, recreation and other uses that are consistent with similar uses in ground-level side and rear yards for dwellings. Such rooftop areas may not be occupied by structures such as vents, exhaust intakes, or other mechanical devices, except where they do not interfere with the usable nature of the open space;

(4) The depth-to-width ratio of any area used to fulfill the open space requirement may not exceed three to one, if the smallest dimension of the open space is twelve feet or less;

(e) Accessory buildings which are attached to or are located not more than ten feet from the main structure shall be considered a part of the main structure and shall comply with the height, and front, side, and rear yard requirements of the main structure. Accessory buildings not a part of the main structure may be located in the required rear yard if such yard does not abut a residential district, but such accessory buildings may not occupy more than thirty percent of the required rear yard and shall not be nearer than two feet to any side or rear lot line. Such detached accessory buildings shall not exceed fifteen feet in height. Accessory buildings not a part of the main structure, if located not less than sixty feet from the front lot line, may extend into the required side yard though not nearer than two feet to the side lot line. A garage which is entered from an alley shall not be located closer than ten feet to the alley line;

(f) Dwellings existing in this district on the effective date of this title which do not meet the requirements of this chapter shall be considered nonstandard uses in conformance with the provisions of Chapter 27.61. (Ord. 12894 §13; April 7, 1980; prior Ord. 12751 §10; November 5, 1979; Ord. 12657 §5; August 6, 1979; Ord. 12571 §235; May 8, 1979).

27.26.090 Extension Beyond Abutting Business or Industrial District; Open Space Requirement.

Whenever an O-2 zoning district extends further from the street than an abutting B-1, B-3, B-4, H-2, H-3, or I-1 district, then no building, structure, parking, nor access drive shall be permitted further from the street than the adjacent boundary line that is parallel to the street of the abutting B-1, B-3, B-4, H-2, H-3, or I-1 district. That portion of the O-2 district further from the street than the B-1, B-3, B-4, H-2, H-3, or I-1 districts shall be maintained as open space and have landscaping improvements, such as trees, shrubs, grasses, paths, fountains, or benches. If the B-1, B-3, B-4, H-2, H-3, or I-1 district is located on a corner and the O-2 district completely bounds the B-1, B-3, B-4, H-2, H-3, or I-1 district, the open space may be included as part of the required rear yard even though each owner of the open space may not have the required depth for the required rear yard; provided, there is joint agreement between the property owners, satisfactory to the Director of Building and Safety, for the development and maintenance of the open space. (Ord. 12818 §1; January 21, 1980).



Lancaster County

County Assessor

Parcel Photo

InterLinc

Parcel 16-08-200-022-000

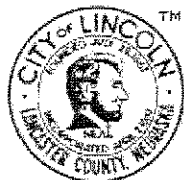
Comments

14-Aug-2000

480x640

[Property Information](#) [Property Mini-Sheet](#)

lower level
Walk out



Lancaster County

County Assessor
Commercial Information

InterLinc

Parcel Identification No: 16-08-200-022-000

Commercial Building Characteristics				
Building #: 01 of 01	Structure Type: 353 OFFICE SINGLE TENANT			
Quality Grade: C AVERAGE	Year Built: 1986			
Identical Units: 1				
Exterior Wall Type	PRCT			
1 33 FACE BRICK	50			
2 31 WOOD SIDING ON SHEATHING	50			
3	0			
4	0			
Commercial BLDG Sections:				
Description	Stories	Wall HGT	GFA	
BASEMENT	1	8.00	3,330	
BASEMENT	1	8.00	1,170	
COM 1ST FLOOR	1	9.00	4,500	
Commercial Refinements:				
Description	Unit	Measr-1	Measr-2	Measr-3

Land and Miscellaneous

Commercial Information

Display Building

Building Sketch

Display Building

Map

Parcel Information

Treasurer's Information

☐ County Assessor ☐ Property Information



Lancaster County

County Assessor/Register of Deeds
Property Information

InterLinc

Parcel Identification No: 16-08-200-022-000

Taxing District:	0001 LINCOLN	Property Owner:	PERRY, RICHARD C & BETTY L
Property Class:	C COMMERCIAL		
Neighborhood:	SEO03 SOUTHEAST; OFFICE; INC MOD 03		7601 STEVENS RIDGE RD
Situs Address:	4827 PIONEERS BLVD LINCOLN		LINCOLN NE 68516
Final Value Summary for Tax Year 2003			
Land Value:	123,750		
Improvement Value:	344,850		
Total Value:	468,600		

Legal Description:

HENTON'S SUB LOTS 1 & 2, E32' LOT 3, VAC ALLEY ADJ & LOT 10



Click Photo to Enlarge

Sale History:

Instrument #	Sale Date	Sale Pri
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Land and Miscellaneous

Commercial Information

Building Sketch

Map

Treasurer's Information

Display Building

Display Building

☐ County Assessor ☒ Property Information



Lancaster County

County Assessor
Land and Miscellaneous Information

InterLinc

Land Data						
Zoning	Use Code	Description	Lot Front	Lot Depth	Unit Type	No. Units
O2	SOA0	SMALL OFF; AVERAGE	120	141	SF	16,920.00
R2	SOA0	SMALL OFF; AVERAGE	45	124	SF	5,580.00

Miscellaneous Improvements			
Description	Year Built	Unit Type	No. Units
CONCRETE PAVIN	1986	SF	9,000.00

Commercial Information

Display Building

Building Sketch

Display Building

Map

Parcel Information

Treasurer's Information

☐ County Assessor ☐ Property Information



Lancaster County

County Assessor

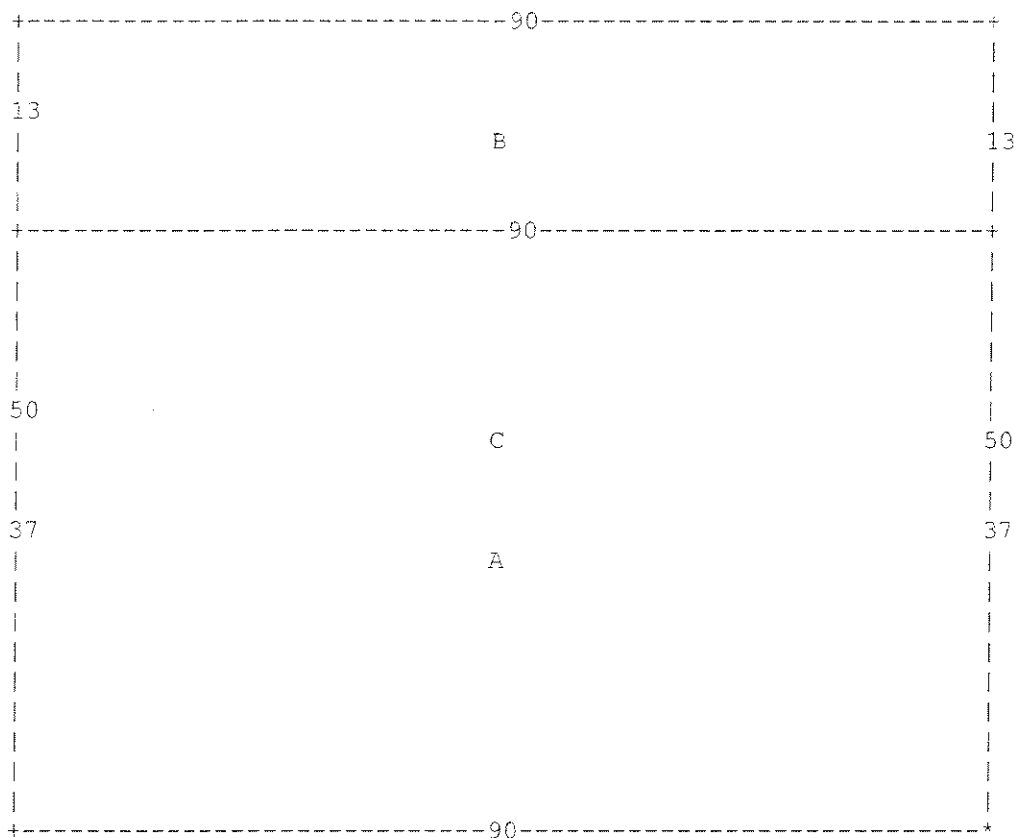
Building Sketch/Section Information

InterLinc

Parcel Identification No: 16-08-200-022-000

Building Sketch:

B U I L D I N G S K E T C H



Building Sections

Building Section ID	Building Section	Square Footage
*	BASEMENT	3,330
*	BASEMENT	1,170
A	COM 1ST FLOOR	4,500

Land and Miscellaneous

Commercial Information

Building Sketch

Display Building

Display Building

CITY OF LINCOLN ZONING APPLICATION

(A separate application is required for each request.)

Honorable City Council

Date 2/19/2004

City of Lincoln, Nebraska

Application No. _____

Under the provisions of Title 27 of the Lincoln Municipal Code, the undersigned hereby applies for a:

☐ Change of zone from _____ to _____☐ Special Permit, 27.63. _____☒ Change of zone, (text) 27.26.020 text ammend _____

(Please list Special Permit Type)

*NOTE: City policy requests that text amendments be presented to the Mayor's Neighborhood Roundtable.

Presentation Date March 11, 2004☐ Pre-Existing Special Permit # _____☐ Use Permit _____ Pre-Existing Use Permit # _____☐ Miscellaneous ☐ CPC☐ Administrative Amendment to SP# _____ ; UP# _____ ; Other # _____☐ Waiver to _____ SP# _____ ; UP# _____ ; PP# _____
(List)

Please attach list of all waivers being requested and identify the specific regulations requested to be waived (i.e. City of Lincoln Design Standards, Land Subdivision Title 26, Title 27 Section # _____ in conjunction with CUP, etc.

Is the purpose statement for this application attached? Yes ☒ No ☐

Note: Purpose Statement must be attached in order for application to be considered complete.

Have the neighbors been informed of your request? Yes ☐ No ☒Property Owner Name SUMMIT DEVELOPMENTS LLCTelephone (402) 486-4209Address 4827 PIONEERS BLVD. LINCOLN, NE 68516

Email _____

Applicant (Permittee) Name COMMUNITY ALTERNATIVES NEBRASKATelephone (402) 420-2100Address 4851 SOUTH 16 ST. LINCOLN, NE 68512

Email _____

Contact Name CARLYE LONG, PROPERTY MANAGERTelephone (402) 420-2100Address 4851 SOUTH 16 ST. LINCOLN, NE 68512Email CLONG@RESCARE.COMProject Legal Description: Lot(s) SUB LOTS 1 & 2, E32' LOT 3, Block(s) _____VAC ALLEY ADJ & LOT 10 HENTON'S Addition, _____ 1/4 Section, _____ T _____ N, R _____ E☒ See attached Legal Description (hard copy and digital if available)Project Address/Location 4827 PIONEERS BLVD. LINCOLN, NE 68516

Applicant's (Permittee's) Signature _____

Property Owner's Signature _____

* NOTE: If applicant is not owner of the premises, the owner's signature (or written permission of the owner authorizing the applicant to sign on behalf of the owner) must be affixed to this application. The applicant and owner's signatures (or owner's written permission) certifies that permission is granted by the owner to all authorized city/county personnel to enter the premises for the purpose of review of this application.

**NOTE: Change of Zone applications do not require the property owner's signature.

***Note: This application will be returned as insufficient if all requested information is not provided.

Planning Department Use Only

Permit Name _____

Fee Paid \$ _____

Location _____

Planner _____

Date _____